

City Clerk File No. Ord. 19-007

Agenda No. 3.A 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE  
offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-007

**TITLE:** AN ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY, AS  
TENANT, TO EXTEND FOR A ONE YEAR TERM A LEASE  
AGREEMENT WITH 18 ASH STREET REALTY, LLC, AS  
LANDLORD, FOR SPACE LOCATED AT 46 STATE STREET, JERSEY  
CITY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City (ACity@) needed storage space for equipment used by the City's Fire and Emergency Services Unit; and

WHEREAS, Ordinance 11-015, adopted on February 9, 2011, authorized a five year lease agreement with 18 Ash Street Realty, LLC ("Landlord") to lease to the City approximately 6,000 square feet of space located at 46 State Street, Jersey City; and

WHEREAS, the lease term began on January 1, 2011; and

WHEREAS, the lease provided the City with options to extend the lease for up to two additional one year terms which the City exercised; and

WHEREAS, the City continued to need storage space for the Fire Department's equipment and Ordinance 18-005, adopted on February 14, 2018, authorized a one year extension of the lease effective January 1, 2018; and

WHEREAS, the City continues to need storage space for the Fire Department's equipment and desires to extend the lease for one additional year effective as of January 1, 2019 and the Landlord agrees to this lease extension; and

WHEREAS, the monthly base rent will be \$5,500.00 or \$66,000.00 annually plus the sum of \$8,648.24 which is forty percent of the 2019 real property taxes of \$21,620.64 for the building at 46 State Street; and

WHEREAS, the total monthly rent including the property tax payment will be \$6,220.69; and

WHEREAS, funds in the amount of \$74,648.28 are available in  
Account no. 17 289 56 000 002 ; and

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance, acquire property by lease;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Jersey City that:

- 1) Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the attached Lease Agreement Extension with 18 Ash Street Realty, LLC for space at 46 State Street;

- 2) The term of the Lease Agreement Extension is one year effective as of January 1, 2019 and ending on December 31, 2019; and
- 3) The total annual rent shall not exceed the sum of \$74,648.28 and shall be payable in 12 equal installments of \$6,220.69 payable on the first day of each month.

I \_\_\_\_\_, Donna Mauer Chief Financial Officer hereby certify that funds in the amount of \$74,648.28 are available in Account no. 17 289 56 000 002.

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. The ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

RR  
1-8-19

William O'Donnell  
William O'Donnell  
Department of Public Safety

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required ☐  
Not Required ☐

R.R.  
1-11-19

## **LEASE AGREEMENT EXTENSION**

This Lease Agreement Extension made this \_\_\_\_\_ day of \_\_\_\_\_, 2019 between the City of Jersey City, City Hall, 280 Grove Street, Jersey City, New Jersey, a municipal corporation of the State of New Jersey ("City" or "Tenant"), and 18 Ash Street, LLC, having an address at 18 Ash Street, Jersey City, New Jersey ("Landlord").

**WHEREAS**, the City needed storage space for equipment used by the City's Fire and Emergency Services Unit; and

**WHEREAS**, Ordinance 11-015, adopted on February 9, 2011, authorized a five year lease agreement with the Landlord to lease to the City approximately 6,000 square feet of space located at 46 State Street, Jersey City for a term beginning on January 1, 2011 and ending on December 31, 2015; and

**WHEREAS**, the lease provided the City with options to extend the lease for up to two additional one year terms which the City exercised; and

**WHEREAS**, the City continued to need storage space for the Fire Department's equipment and Ordinance 18-005, adopted on February 14, 2018, authorized a one year extension of the lease effective January 1, 2018; and

**WHEREAS**, the City continues to need storage space for the Fire Department's equipment and desires to extend the lease for one additional year effective as of January 1, 2019 and the Landlord agrees to this lease extension; and

**WHEREAS**, the monthly base rent will be \$5,500.00 or \$66,000.00 annually plus the sum of \$8,648.24 which is forty percent of the 2019 real property taxes of \$21,620.64 for the building at 46 State Street; and

**WHEREAS**, the total monthly rent including the property tax payment will be \$6,220.69.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

- 1) The City's Lease Agreement with the Landlord is extended for one year effective as of January 1, 2019 and ending on December 31, 2019.
- 2) The total annual rent is \$74,648.28 and shall be payable in 12 equal installments of \$6,220.69 payable on the first day of each month.

- 3) All other terms, covenants, conditions, rights and liabilities of the parties as set forth in the Lease Agreement dated January 1, 2011 shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Jersey City, by its Mayor or Business Administrator and 18 Ash Street, LLC by an authorized representative, have executed this Lease Agreement Extension and affixed their corporate seals thereto the day, month and year first above written.

City of Jersey City

Attest: \_\_\_\_\_  
Robert Byrne  
City Clerk

\_\_\_\_\_  
Brian Platt  
Business Administrator

18 Ash Street, LLC

Witness: \_\_\_\_\_

\_\_\_\_\_

RR  
1-8-19

**18 Ash Street Realty  
44-46 State Street  
Jersey City, NJ 07304**

Phone (201) 432-4500

Fax (201) 432-4951

November 20, 2018

Fire Headquarters  
465 Marin Boulevard  
Jersey City, NJ 07302  
Attn: Mr. Jerome Cala

RE: Property Address - 46 State Street, Jersey City, NJ

Gentlemen,

As per our discussion we proposed a one year extension for the above referenced property at a rate of \$5,500 per month.

The taxes will remain at 40% of the total taxes which is approximately \$2,162.06 a quarter.

Please contact my office if you have any questions.

Sincerely,

18 ASH STREET REALTY

*Peter J. Gargiulo*

Peter J. Gargiulo  
Managing Member

# PROPERTY IDENTIFICATION

BLOCK NUMBER 15403 LOT NUMBER 29 QUALIFICATION  
 PROPERTY LOCATION 46 STATE ST.  
 ADDITIONAL LOTS  
 BUILDING DESC. 1S-B-WAREHOUSE  
 LAND DIMENSION 150X99.85

4TH QTR BILLED NOV. 1, 2018

7,161.87

1ST QTR BILLED FEB. 1, 2019

5,405.16

TAX ACCOUNT

379172

BANK CODE

1246

MORTGAGE ACCT. NO.

3RD QTR BILLED AUG. 1, 2018

7,161.87

2ND QTR BILLED MAY 1, 2019

5,405.16

BILL NUMBER

15,049

18 ASH STREET REALTY, L.L.C.  
 OR CURRENT OWNER  
 44-46 STATE ST  
 JERSEY CITY, N.J. 07304

View or Pay your account online at:  
 TAXES.CITYOFJERSEYCITY.COM

# DISTRIBUTION OF TAXES

COUNTY TAX	.4000	5,812.0
DISTRICT SCHOOL TAX	.3510	5,100.0
LOCAL SCHOOL TAX	.0090	130.7
COUNTY OPEN SPACE	.0100	145.3
MUNICIPAL TAX	.6890	10,011.1
MUNICIPAL LIBRARY	.0270	392.3
MUNICIPAL OPEN SPACE	.0020	29.0

LAND	602,900	1.4880	GROSS TAX	21,620.64
IMPROVEMENT	850,100		DEDUCTION	.01
TOTAL	1,453,000		NET TAX	21,620.64
EXEMPTIONS	0		FIRST HALF BILLED	7,296.91
NET TAXABLE	1,453,000		BALANCE DUE	14,323.73
			PRELIMINARY 2019 TAX	10,810.31

State Aid Used to Offset Local Property Taxes: The budgets of the government agencies funded by this tax bill include State aid used to reduce property taxes. State aid offset information for current year municipal tax bills will start becoming available at the end of July. Access the Division of Local Government Services' website at [http://www.nj.gov/dca/divisions/dlgs/resources/property\\_tax.html](http://www.nj.gov/dca/divisions/dlgs/resources/property_tax.html) to find (based on the assessed value of this parcel) the amount of State aid used to offset property taxes on this parcel.

# ADDITIONAL INFORMATION

PLEASE MAKE CHECKS PAYABLE TO:  
 CITY OF JERSEY CITY

Office Hours: 8:30 AM to 4:30 PM Mon. thru Fri. 201-547-5124

MAIL CURRENT PAYMENTS ONLY TO:

Taxes, City of Jersey City  
 P.O. BOX 2025  
 Jersey City, N.J. 07302

MAIL DELINQUENT PAYMENTS TO:

Tax Collector  
 280 Grove Street Room #101  
 Jersey City, N.J. 07302

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

FLOOD INSURANCE: If your municipality is eligible for flood insurance, you are hereby advised that residents may purchase Federal Flood Insurance. Failure to purchase such insurance by a property owner will result in denial of Federal Disaster Assistance to any such owner in any amount equivalent to that which could have been covered by Federal Flood Insurance. N.J.S.A. 54:4-64. 1. Information on eligibility can be obtained from the Office of the Construction Official for Flood Zone confirmations

City Hall will be closed on the following holidays in 2018, September 3, October 8, November 6, 12, 22 & 23, December 25, 2018. In 2019 January 1, 21, February 12, 18, April 19, May 28.

TAX SALE INFORMATION: The Tax Sale for unpaid 2018 charges is scheduled for December 17, 2018.

DETACH AND MAIL THIS STUB WITH PAYMENT TO:  
 CITY OF JERSEY CITY

SEE REVERSE SIDE FOR INSTRUCTIONS

2019 2ND QUARTER TAX DUE MAY 1, 2019

BLOCK NUMBER 15403	LOT NUMBER 29	QUALIFICATION	BANK CODE 1246
TAX ACCOUNT 379172	BILL NUMBER 15,049	BILLED 5,405.16	
		ADJUSTED .00	
		TOTAL DUE 5,405.16	

18 ASH STREET REALTY, L.L.C.  
 46 STATE ST.

\* THIS IS NOT A BILL - ADVICE COPY ONLY \*



DETACH AND MAIL THIS STUB WITH PAYMENT TO:  
 CITY OF JERSEY CITY

SEE REVERSE SIDE FOR INSTRUCTIONS

2019 1ST QUARTER TAX DUE FEBRUARY 1, 2019

BLOCK NUMBER 15403	LOT NUMBER 29	QUALIFICATION	BANK CODE 1246
TAX ACCOUNT 379172	BILL NUMBER 15,049	BILLED 5,405.16	
		ADJUSTED .00	
		TOTAL DUE 5,405.16	

18 ASH STREET REALTY, L.L.C.  
 46 STATE ST.

\* THIS IS NOT A BILL - ADVICE COPY ONLY \*



DETACH AND MAIL THIS STUB WITH PAYMENT TO:  
 CITY OF JERSEY CITY

SEE REVERSE SIDE FOR INSTRUCTIONS

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 CITY OF JERSEY CITY

SEE REVERSE SIDE FOR INSTRUCTIONS

## **RESOLUTION/ORDINANCE FACT SHEET**

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

### **Full Title of Ordinance/Resolution**

AN ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY, AS TENANT, TO EXTEND FOR A ONE YEAR TERM A LEASE AGREEMENT WITH 18 ASH STREET REALTY, LLC, AS LANDLORD FOR SPACE LOCATED AT 46 STATE STREET, JERSEY CITY

### **Initiator**

Department/Division	Department of Public Safety	Division of Fire
Name/Title	Steven McGill	Chief of the Department
Phone/email	201-547-4262	sjmcgill@njcps.org

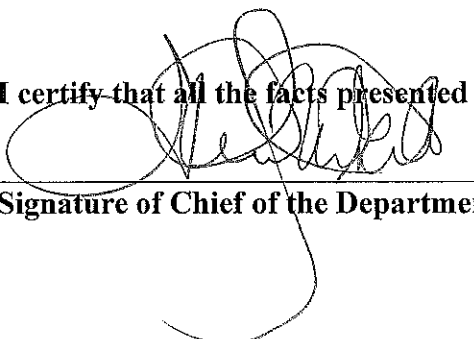
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

### **Resolution Purpose**

The Fire Department and the Office of Emergency Management have received a number of vehicles and large stockpiles of Homeland Security equipment.

The lease of this building is necessary to store and secure the vehicles and equipment because space is not available in the current city buildings.

I certify that all the facts presented herein are accurate.

  
Signature of Chief of the Department

  
Date

City Clerk File No. Ord. 19-008

Agenda No. 3.B 1st Reading

Agenda No. \_\_\_\_\_ 2nd Reading & Final Passage



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-008

**TITLE: ORDINANCE AUTHORIZING THE ACQUISITION OF BLOCK 22502, LOTS 36 AND 37, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 347-349 AND 351-355 MARTIN LUTHER KING DRIVE, RESPECTIVELY, FROM THE JERSEY CITY REDEVELOPMENT AGENCY**

**THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:**

**WHEREAS**, the Jersey City Redevelopment Agency (JCRA) is the owner of certain property designated on Jersey City's Official Tax Assessment Map as Block 22502, Lots 36 and 37, more commonly known by the street addresses of 347-349 and 351-355 Martin Luther King Drive (Property), which property is located within the Jackson Hill Redevelopment Plan Area; and

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, the City of Jersey City (City) designated certain parcels known as the Jackson Hill Redevelopment Area (Redevelopment Area) as an area in need of redevelopment and adopted the Jackson Hill Redevelopment Plan (Redevelopment Plan) in order to effectuate the redevelopment of the Redevelopment Area; and

**WHEREAS**, the City and the JCRA wish to work collaboratively and have entered into a Cooperation Agreement in order to improve the Property so that it may be used for pop-up markets and other activities for the benefit of the resident of the Redevelopment Area and the City as a whole; and

**WHEREAS**, the City and the JCRA both agree that the Project will now be best served by transferring ownership of the Property from the JCRA to the City; and

**WHEREAS**, by the adoption of Resolution No. 18-11-9 adopted at their regular meeting of November 28, 2018, the Jersey City Redevelopment Agency Board of Commissioners authorized the conveyance of the Property to the City; and

**WHEREAS**, the JCRA is authorized to convey Property to the City of Jersey City pursuant to N.J.S.A. 40A:12A-8 and 22; and

**WHEREAS**, the City of Jersey City is authorized to acquire Property from the JCRA with or without consideration pursuant to N.J.S.A. 40A:12A-39(a) and N.J.S.A. 40A:12-13(b)(1); and

**WHEREAS**, the City is authorized to aid and cooperate with the JCRA in the implementation of redevelopment plans pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

**NOW, THEREFORE, BE IT ORDAINED**, by the Municipal Council of the City of Jersey City that:

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required ☐

Not Required ☐



**ORDINANCE AUTHORIZING THE ACQUISITION OF BLOCK 22502, LOTS 36 AND 37, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 347-349 AND 351-355 MARTIN LUTHER KING DRIVE, RESPECTIVELY, FROM THE JERSEY CITY REDEVELOPMENT AGENCY**

1. The Business Administrator is authorized to acquire title to Block 22502, Lots 36 and 37 from the JCRA.
2. The Business Administrator or Corporation Counsel, as appropriate, is authorized to accept delivery of and record a deed from the JCRA and execute any other documents appropriate or necessary to effectuate the purposes of this Ordinance.
  - A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
  - B. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
  - C. This ordinance shall take effect at the time and in the manner provided by law.
  - D. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

**NOTE:** All material is new; therefore underlining has been omitted.  
For purposes of advertising only, new matter is indicated by **bold face**  
and repealed matter by *italic*.

APPROVED AS TO LEGAL FORM

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Corporation Counsel

APPROVED: \_\_\_\_\_  
Business Administrator

Certification Required ☐

Not Required ☐

Prepared by: \_\_\_\_\_  
Diana H. Jeffrey, Esq.  
Executive Director

## ***This Indenture***

Made the \_\_\_\_\_ day of \_\_\_\_\_ in the year Two Thousand \_\_\_\_\_

**Between** the **JERSEY CITY REDEVELOPMENT AGENCY**, a public corporation of the State of New Jersey with offices at 66 York Street, Jersey City, New Jersey 07302, party of the first part;

**And** **CITY OF JERSEY CITY**, a Municipal Corporation of the State of New Jersey with offices at City Hall, 280 Grove Street, Jersey City, New Jersey 07302, in the County of Hudson and State of New Jersey, party of the second part:

*Witnesseth*, That the said party of the first part, for and in consideration of the sum of **\$1.00 (One Dollar)**

"This being a conveyance to a Political Agency in accordance with N.J.S.A. 40A: 12-21(k)."

\$1.00 Dollars, lawful money of the United States of America, to it in hand well and truly paid by the said party of the second part, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, and the said party of the first part being therewith fully satisfied, contented and paid, has given, granted, bargained, sold, aliened, released, enfeoffed, conveyed and confirmed, and by these presents does give, grant, bargain, sell, alien, release, enfeoff, convey and confirm unto the said party of the second part, and to the heirs, successors and assigns forever of the said party of the second part,

*All* that certain tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the City of Jersey City, also known as Block 22502, Lots 36 and 37, in the County of Hudson and State of New Jersey.

This deed is given under and by virtue of Ordinance \_\_\_\_\_ adopted by the Municipal Council of the City of Jersey City, on \_\_\_\_\_, 200\_\_\_\_ authoring the acquisition by the City of Jersey City, of public lands and buildings with or without consideration, hereinafter listed, in accordance with the provision of Section 40A:12A-39(a) and 40A:12-13(b)(1) and the supplements thereto and amendments thereof, if any, of New Jersey Statutes Annotated.

Together with all and singular the houses, buildings, trees, ways, waters, profits, privileges, and advantages, with the appurtenances of the same belonging or in anywise appertaining:

*Also*, all the estate, right, title, interest, poverty, claim and demand whatsoever, of the said party of the first part, of, in and to the same, and of, in and to every part and parcel thereof.

**ORDINANCE FACT SHEET –**

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

**Full Title of Ordinance/Resolution**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF BLOCK 22502, LOTS 36 AND 37, MORE COMMONLY KNOWN BY THE STREET ADDRESSES OF 347-349 AND 315-355 MARTIN LUTHER KING DRIVE, PERSPECTIVELY, FROM THE JERSEY CITY REDEVELOPMENT AGENCY**

**Initiator**

Department/Division	Business Administration	
Name/Title	Brian Platt	Business Administrator
Phone/email	201-547-4513	BPlatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

**Ordinance Purpose**

The property listed here will be the site of a pop up market on Martin Luther King Drive in partnership with the Jackson Hill Main Street Management Corp (Jackson Hill SID) that will provide local food options and several popup storefronts for other local businesses. It is located across the street from the new city hall facility at 1 Jackson Square and will serve city employees and local residents in the area. All construction will be managed by the City. As a result the City must take ownership of the property for purpose of this specific project.

**I certify that all the facts presented herein are accurate.**

\_\_\_\_\_  
**Signature of Department Director**

January 17, 2019  
**Date**

State of New Jersey  
County of Hudson } ss:

Be it Remembered, That on this                      day of  
Two Thousand \_\_\_\_\_ before me the subscriber, of Notary Public State of New Jersey  
personally appeared

Robert Byrne

and made proof to my satisfaction that he is the City Clerk of the City of Jersey City, a  
Municipal Corporation of the State of New Jersey, the Grantor named in the foregoing  
Instrument; that he well knows the corporate seal of said corporation; that the seal affixed to said  
instrument is the corporate seal of said corporation; that the said seal was so affixed and the said  
Instrument signed and delivered by

Steven M. Fulop

who was at the date thereof the Mayor of said municipal corporation, in the presence of this  
deponent, and said Mayor, at the same time acknowledged that he signed, sealed and delivered  
the same as his voluntary act and deed, and as the voluntary act and deed of said corporation, and  
that deponent, at the same time, subscribed his name to said Instrument as an attesting witness to  
the executive thereof. The full and actual consideration paid or to be paid for the transfer of title  
to realty evidence by the within deed, as such consideration is defined in  
P.L. 1968, c 49, Sec. 1 (c), is

\$1.00

*Sworn and subscribed before me,  
at Jersey City, N.J. the date}  
aforesaid.*

.....

.....  
Robert Byrne, City Clerk